



Entered on Docket
September 14, 2006

**Hon. Linda B. Riegle
United States Bankruptcy Judge**

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15 *Counsel for the Official Committee of Equity Security
16 Holders of USA Capital First Trust Deed Fund, LLC*

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

18	In re: USA COMMERCIAL MORTGAGE COMPANY Debtor) BK-S-06-10725-LBR)) Chapter 11))
19	In re: USA CAPITAL REALTY ADVISORS, LLC, Debtor) BK-S-06-10726-LBR)) Chapter 11))
20	In re: USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, Debtor) BK-S-06-10727-LBR)) Chapter 11))
21	In re: USA CAPITAL FIRST TRUST DEED FUND, LLC, Debtor.) BK-S-06-10728-LBR)) Chapter 11))
22	In re: USA SECURITIES, LLC, Debtor.) BK-S-06-10729-LBR)) Chapter 11))
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1	Affects)
2	<input type="checkbox"/> All Debtors)
3	<input type="checkbox"/> USA Commercial Mortgage Co.) Date: August 31, 2006
4	<input type="checkbox"/> USA Securities, LLC) Time: 9:30 a.m.
5	<input type="checkbox"/> USA Capital Realty Advisors, LLC)
6	<input type="checkbox"/> USA Capital Diversified Trust Deed)
7	<input checked="" type="checkbox"/> USA Capital First Trust Deed Fund, LLC)

5 **ORDER SUSTAINING OMNIBUS OBJECTION OF THE OFFICIAL COMMITTEE**
6 **OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND,**
7 **LLC TO CLAIMS BASED ON PREPETITION EQUITY SECURITY HOLDERS**
8 **(AFFECTS DEBTOR USA CAPITAL FIRST TRUST DEED FUND, LLC AND**
9 **CLAIMANTS CONCETTA CARNICELLI, JOSEPH GRGURICH, FRIEDA MOON,**
10 **LOUIE AND CHARLOTTE POLANCO, ROCCO J. ROCCO, MARGARET VALLI,**
11 **SHARON C. VAN ERT, AND HEINRICH RICHARD AND BRIGITTE S. WEBER)**

12 The Court having considered the Omnibus Objection of the Official Committee of
13 Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the "FTDF Committee")
14 to Misfiled Claims, including claim nos. 2, 6, 7, 17, 19, 20, 25, and 26 (the "Objection"); having
15 reviewed the pleadings, papers and records on file in this action and the arguments of counsel;
16 no opposition to the Objection having been timely filed; and good cause appearing:

17 IT IS HEREBY ORDERED that the FTDF Committee's Objection is sustained.

18 IT IS FURTHER ORDERED that the claims listed on Exhibit A attached hereto shall be

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1 reclassified as proofs of interest.

2 SUBMITTED BY:

3 SHEA & CARLYON, LTD.

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19 APPROVED / DISAPPROVED

20 OFFICE OF THE UNITED STATES TRUSTEE

21 *Scott Andrew Farro*
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EXHIBIT “A”

EXHIBIT "A"**Equity Interests**

Claim No.	Claimant	Date Filed	Claim Amount	Disposition
2	Joseph Grgurich	April 27, 2006	\$25,000.00	Reclassify as proof of interest.
6	Frieda Moon FBO Sharon C. Van Ert	May 23, 2006	\$35,583.34	Reclassify as proof of interest.
7	Frieda Moon FBO Sharon C. Van Ert	May 23, 2006	\$17,538.18	Reclassify as proof of interest.
17	Concetta Carnicelli or Margaret Valli JT WROS	June 23, 2006	\$45,000.00	Reclassify as proof of interest.
19	Louie and Charlotte Polanco	June 23, 2006	\$13,110.26	Reclassify as proof of interest.
20	Joseph Grgurich	June 23, 2006	\$25,000.00	Reclassify as proof of interest.
25	Rocco J. Rocco	July 7, 2006	\$10,132.00	Reclassify as proof of interest.
26	Heinrich Richard Weber and Brigitte S. Weber	July 21, 2006	\$30,275.00	Reclassify as proof of interest.